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**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554**

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Federal Communications Commission
Office of Secretary

In the Matter of)
)
Amendment of Section 73.202(b)) RM-
Table of Allotments,)
FM Broadcast Stations)
(Cloudcroft, New Mexico))

To: Chief, Policy & Rules Division
Mass Media Bureau

PETITION FOR RULEMAKING

Robert J. Flotte, by his attorneys, hereby requests amendment of the FM table of allotments so as to add FM Channel 250C1 to the community of Cloudcroft, New Mexico.

Cloudcroft is located in the scenic Sacramento Mountains of New Mexico. It is an incorporated town. Cloudcroft has a mayor and council form of government.

Cloudcroft has a current population of approximately 750 people. Its 1990 census population was 636 persons. There are approximately 5,000 people living in the area immediately surrounding Cloudcroft. The entire greater Cloudcroft area lacks local radio broadcast transmission service.

Cloudcroft is the site of the Snow Canyon Ski Resort, one of the southernmost ski resorts in the United States. A number of other businesses are also located there. There is a historic lodge which serves as a retreat that was estab-

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lished in 1899, there are several restaurants and grocery stores, and there is a downtown business community with several retail outlets.

Allotment of Channel 250C1 would give Cloudcroft its first local transmission service. In addition to the service afforded to residents of Cloudcroft in their homes, a radio broadcast station operation on this frequency would be of assistance to motorists traveling to and from Cloudcroft. Weather conditions on roads in this mountainous area can change rapidly. Thus, there is a distinct need for a radio service focused on this and other concerns of residents of and visitors to the Cloudcroft area. Traveling east or south from Cloudcroft, it is over 90 miles before one comes to the next community (Artesia, New Mexico) that has its own radio station. Accordingly, allotment of this channel to Cloudcroft is unquestionably in the public interest.

Attached hereto is an engineering statement demonstrating that the allotment of Channel 250C1 at Cloudcroft, New Mexico would meet all of the Commission's spacing requirements. For a transmitter site located in Cloudcroft itself, no site restriction would be required. The petitioner specifically proposes location of the transmitting facilities at the coordinates specified in the attached engineering statement, and requests that these coordinates be identified as the referenced site for the proposed allotment.

If Channel 250C1 is allotted to Cloudcroft as requested, Mr. Flotte will file an application for a construction permit for a new station on that frequency, and

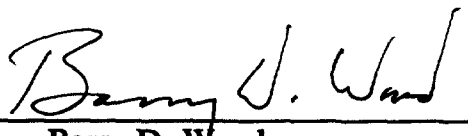
will, upon the grant of the permit, construct and operate the station in the public interest.

In view of the foregoing, Robert J. Flotte hereby requests that the Commission's Policy & Rules Division issue a notice of proposed rulemaking and, pursuant to comment, amend the FM Table of Allotments, Section 73.202(b) of the Commission's Rules, to specify the following new allotment:

	<u>Present Allotment</u>	<u>New Allotment</u>
Cloudcroft, New Mexico	None	250C1

Respectfully submitted,

ROBERT J. FLOTTE

By: 
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Dated: December 5, 1996

WES, INC.
5925 Cromo Dr.
El Paso, TX 79912

915-581-0306

ENGINEERING EXHIBIT RM:

Robert J. Flotte
Petitioner
Channel 250 C1
Cloudcroft, NM

Oct 1, 1996

**ENGINEERING STATEMENT IN SUPPORT OF A
PETITION FOR RULEMAKING
TO AMEND
THE FM TABLE OF ASSIGNMENTS**

WES, INC.

DECLARATION

I, Pete E. M. Warren III, declare and state that I am a Certified Engineer, Class I, Senior, with Master Endorsement radiating and non-radiating, by The National Association of Radio and Telecommunications Engineers, Inc., and my qualifications are a matter of record with the Federal Communications Commission, and that I am engineer in the firm of WES, Inc., and that firm has been retained by Robert J. Flotte to prepare an engineering statement in support of a Petition to Amend the FM Table of Assignments.

All facts contained herein are true to my own knowledge except where stated to be on information or belief, and as to those facts, I believe them to be true. I declare under penalty of perjury that the foregoing is true and correct.


Pete E.M. Warren III

Executed on this 1st day of Oct. 1996

WES, INC.

NARRATIVE STATEMENT

I. GENERAL

This engineering statement has been prepared on behalf of Robert J. Flotte. The purpose of this statement is to support a request that the FM Table of Assignments be amended to add Ch. 250 C1 at Cloudcroft, NM.

It should be noted that the area in question is within 320 kilometers (200 miles) of a U.S. Border and, therefore, foreign concurrence is required.

II. ENGINEERING DISCUSSION

A. Proposed Site:

We propose a site located at the following coordinates:

Latitude: 32 57 45

Longitude: 105 44 40

No restriction is required.

B. Channel Allocation Study:

Attached is a Channel Allocation Study of channel 250 C1. The study indicates the separation in kilometers to all known Licenses, Construction Permits, Open Allocations, pending Allocations, and pending Rule Makings.

C. Public Interest Showing:

This would be a first allotment to Cloudcroft, NM. Based on the above petitioner believes that the requested channel addition is in the Public Interest and therefore, should be granted by the Commission.

III. SUMMARY

Robert J. Flotte requests that the FM Table of Assignments be amended to as follows:

City	Present	Proposed
Cloudcroft, NM	None	250 C1



Pete E.M. Warren III

Oct. 1, 1996

FM CHANNEL SPACING STUDY

Job title: CLOUDCROFT NM

Latitude: 32 57 45

Channel: 250C1

Longitude: 105 44 40

Database file name: C:\FMSR\FM960927.EDX

Pre-1989 Class A spacings?: N
Reqd.

CH	Call	Record	City	ST	Status	Bear.	Dist.	Dist.	Result
251C	KBAC	17900	Las Vegas	NM	LIC	7.3	269.5	209.0	60.5
252C		18130	Ciudad Juarez	CH	LIC	207.2	152.5	105.0	47.5
248C	KBNAFM	18146	El Paso	TX	LIC	208.2	147.0	105.0	42.0
252C	XHPXFM	18153	Ciudad Juarez	CH	LIC	207.2	152.5	105.0	47.5
249C1	KLVO	18175	Belen	NM	LIC	334.4	226.5	177.0	49.5
250C		18685	Lordsburg	NM	VACANT	257.8	281.2	270.0	11.2

***** End of channel 250 study *****